BILL NO. Z-75-05-44

ZONING MAP ORDINANCE NO. Z- N

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E 1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. El, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered 36, 37, 38, 39, 40, 41, and 42 in White and Detzers Addition to Fort Wayne in Allen County, Indiana, according to the plat thereof recorded in Plat Book 2, Page 20 in the Office of the Recorder of Allen County, Indiana Deed Record 730, pages 479 and 481

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Councilman Councilman

APPROVED AS TO FORM

	notion by, seconded by and the second time by title and referred
to the Committee on Regulate	
, //	e-liearing to be held after due legal notice
at the Council Chambers, City-County Bui	ding, Fort Wayne, Indiana, on,
the Gay of	, 197, at
o Clock P.M., E.S.T.	Charles W. urenerman
Date: 5-27-75	CLTY CLERKY
Read the third time in full and on m	notion by publis,
seconded by Achmill , and	d duly adopted, placed on its passage.
Passed (LOST) by the following vote:	
TOTAL VOTES 2 NAYS ABSTA	AINED ABSENT TO-WIT
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MOSES	Third subtract VP designation (Mary Special Sp
NUCKOLS X	
SCHMIDT, D.	The contraction of the contracti
SCHMIDT, V.	
STIER X	enterprises enterprises described and the contract of the property of the contract of the cont
TALARICO	
DATE: 12-9-75.	CITY CLERK WILLIAM CONTRACTOR
Passed and adopted by the Common Cou	incil of the City of Fort Wayne, Indiana,
as (Zoning Map) (General) (Annexation) (S	pecial) (Appropriation) Ordinance
(Resolution) No on the	
ATTEST:	V \
Muly Millory	PRESIDING OFFICER
	City of Fort Wayne, Indiana, on the
	, at the hour ofo'clock
M.,E.S.T.	
	CITY CLERK
	day of, 197,
at the hour ofo'clock	T1 c g E r O r 1 c

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 27, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-05-44; and.

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 15, 1975;

NOW THEREFORE, BE IT RESCLIED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons ; that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1975.

Certified and signed this 20th day of October, 1975.

Charles N. Hall Secretary

Hold war war and war a

Bill No.	
REPORT OF THE COM	NITTEE ON REGULATIONS
We, your Committee on Regulations	to whom was referred an Ordinance
amending the City of Fort Wayne	Zoning Map No. E1
and the second s	
•	
AND ADDRESS OF THE PROPERTY OF	
have had said Ordinance under consideration a	nd beg leave to report back to the Common
Council that said Ordinance Talket PAS	s. , , ,
SAMUEL STALMRICO Eugene Kraus, Jr. Chairman	Namuel & Jalania
John Nuckols - Vice-Chairman	Colo Weekolo
Vivian G. Schmidt	Mirjan H. Sahmidt
water before the contract of t	aus de la desta dela del dela dela dela dela dela dela
Paul M. Burns	
Donald J. Schmidt	
12/9/75 CONCURRED IN	
DATECHARLES W. WESTERMAN, CITY CLERK	

2-75-05-44

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO 352

AUTHORIZED BIGNATURE

GENERAL FUND

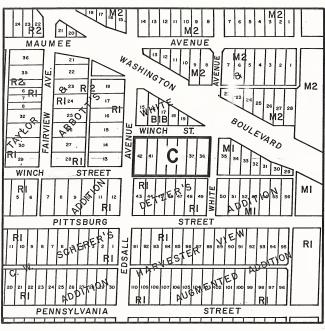
FT. WAYNE, IND. MAY 5 195

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C CHANGE FROM RI TO MI
1-75-05-44

	" ALUMEN GOVERNOTE OF STEEL	Date Filed May 1975
TO:	COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA	
		Intended Use
X/We	James A. Ernst and Kenr	neth B. Ernst
	(2	Applicant's Name or Names)
do he	reby petition your Honorable	Body to amend the Zoning Map of Fort Wayne, Indiana, district to xa/an M-l district the
prope	erty described as follows:	11-1
	Late Numbered 36 37 38 3	39,40,41, and 42 in White and Detzers
	Addition to Fort Wayne	in Allen County, Indiana, according to the
	plat thereof recorded in	Plat Book 2, Page 20 in the Office of
	the Recorder of Allen Co	ounty, Indiana.
	the negotiage of the office	
	Deed Record 730, pages 4	479 and 481
		(Legal Description)
		(Legal Description)
	3 4	
	C 1 P	
	(General Desc	ription for Planning Staff Use Only)
X/We /	, the undersigned, certify the or more of the property des	at X mm/We are the owner(s) of fifty-one percentum
		V
Jam	es A. Ernst	2704 Jefferds Ave.
Ken	neth B. Ernst	2424 Sunnymeade Drive Stunith B. Crus
	(Name)	(Address) (Signature)
Legal	Description Checked By:	(City Engineer)
		,
NOTE	FOLLOWING RULES:	*
		requests that ordinances be taken under advisement
shall	l be filed in writing in the	office of the City Plan Commission by noon on the f the City Plan Commission at which the ordinance is
to be	considered. If the request	for a continuance or advisement is filed within
the :	required time, the matter will	l not be put on the agenda for that meeting. It
shall	l be the obligation of the pe	titioner to notify the same property owners which by mail that the hearing has been postponed or
resch	neduled and inform them of the	e time and place of the meeting at which the ordinance
will	be considered. All withdraw	als of the ordinances must be made in writing prior
to th	ne Plan Commission's vote on	the ordinance.

1514 Anthony Wayne Bank (Address)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, ROOM # 880, ONE MAIN STREET, FORT WAYNE, Telephone Number: 423-7571

(219) 742-1463 (Telephone Number)

PETITION FOR ZONING ORDINANCE AMENDMENT Receipt No.

Name and address of preparer, attorney or agent:

A. Dale Bloom (Name)

INDIANA, 46802

BLOOM & BLOOM ATTORNEYS AT LAW

A. EVERETT BLOOM
ALTON L BLOOM
ALLAN E. BLOOM
BRUCE E. BLOOM
A. DALE BLOOM
A. DALE BLOOM
JAMES M. MORE

1514 ANTHONY WAYNE BANK BUILDING FORT WAYNE, INDIANA 46802 AREA CODE 219 TELEPHONE 742-1463

October 7, 1975

Mr. Gary Baeten Land Use Administrator City Plan Commission City-County Building Fort Wayne, Indiana 46802

Re: Bill No. Z-75-05-44 - From "R1" to "M1" - Lots # 36,37,38,39,40,41 & 42 in White and Detzer's Addition, bounded by Winch Street on the north, White Street on the East and Edsall Avenue on the west.

Dear Mr. Baeten:

Be advised that I have prepared an Affidavit to be signed by James Ernst and Kenneth Ernst concerning the rezoning application as referred to above. You should be receiving this directly from them within the next few days.

Further, I communicated with Mr. John Nuckles whose only advice to us was to withdraw the Petition. He was not at all receptive to our offer to hold it in council for six months, nor was he particularly interested in any statements made by the Ernsts concerning the use of the property. Thus, it looks like it's going to be an up hill battle all the way.

The phone call message I received from your office indicated that a Petition had been signed by numerous individuals inopposition to the rezoning. I would appreciate a copy of that petition showing the signatures so that I might verify that these individuals are owners of real estate in the adjacent area.

Thank you for your call and consideration in this matter.

Very truly yours,

BLOOM & BLOOM G. Dale Blen

A. Dale Bloom (B4)

PROPERTY OWNERS IN FAVOR OF REZONING

WHEREAS, Mr. James A. Ernst and Mr. Kenneth B. Ernst owners of Lots Numbered 36, 37, 38, 39, 40, 41, and 42 in White and Detzer's Addition, bounded by Winch Street on the North and White Street on the East, and Edsall Avenue on the West, have filed their Petition for Zoning Ordinance Amendment and,

WHEREAS, they are desirous of changing the zoning $_{\cdot}$ from an R-1 District to an M-1 District, and,

WHEREAS, a hearing on the application for rezoning will be conducted on Monday, September 15, 1975, at 7:30 P.M. in the Council Chambers, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana on the proposed Amendment, and.

WHEREAS, each of the individuals named below feel that this property should be rezoned from an R-1 District to an M-1 District to allow the development of improvement in this area; each of the named lot owners listed below recommend that these lots be rezoned.

Name O	Address	Telephone
AW. Astall	2626 Dessons	742 148
Sam Leven	3101 Maunel and	743-5461
Kalin H. Bus	2728 Jefferds and	<u>. 743-8005</u>
Vouald A. Panul &	3801 Mauma ave	4-22-2855
Mus Jaus Patterner	3102 E Washington	743-6464
Comple to	3/15 Ollsburgh	433-949/
- Amul Fah assus	1815 & Waine	747-6376
E. 12	2929 EWASLINGTON	743.0288

RE: Bill No. Z-75-05-44 - From "Rl" to "Ml" - Lots # 36, 37, 38, 39, 40, 41 & 41 in White and Detzer's Addition, bounded by Winch Street on the north, White Street on the east and Edsall Avenue on the west.

Come now James A. Ernst and Kenneth B. Ernst after having first been duly sworn upon oath, and depose and say:

- 1. That on September 15, 1975, they presented their application for rezoning to the City Plan Commission and submitted two exhibits congruing the same.
- 2. That they are uncertain as to when construction improvement of the location site would commence, but that it would not be until sometime during the year 1976,if then.
- 3. That the photographic exhibits submitted depicting the type of site improvement to be constructed should rezoning of these lots occur would be substantially in compliance with that exhibit.
- 4. That they desire to substantially improve the surrounding neighborhood by constructing an aesthetically pleasing facility.
- 5. That they are willing to do whatever iswithin their power to upgrade this area of Fort Wayne and would not knowingly do anything to offend surrounding neighbors.

FURTHER AFFIANTS SAYETH NAUGHT.....

James a. Ernst

re me a Notary Public

Subscribed and sworn to before me a Notary Public in and for said County and State, this 6 day of October, 1975.

Linde G. Lycard Notary Public

My Commission Expires:

Nort 13, 1977

495, gnatures We, the undersigned, do not want the zoning on Winch, White, and Edsall streets changed from residential to light industrial. Since there is presently a great deal of light industry in the area, we feel that allowing another trucking company to come into this neighborhood would cause an increased amount of pollution and therefore be a detriment to our community. TECEIVED SEPT. 19,1975 2. H len m. Huffman 1529 Kitch & Kuch & Mary M. Bruner 1533 Kitch are me Andy Johnson 3005 Mc Donall of Classic Johnson Britten 3001 McDonald Button 300 | MCDonale) cised Fee 3024 Midonall amos 3028 Me blonded St. saufail 3032 Mc Donoll Dela M. Bell 3116 McDorall St. 3/16 Mc Denill St. 2 Ellin Rolinson, 3124 Mc Donald St Ellal Trundy 3125 THE Worald St 9. Shile Smith 3121 716 Conold 51 Michael E. Smith 3/21 The Cone USE " lelice Grantham 3117 mc Donald Unn Buchan 15/3 fitch Tom Buchanie ary & Kituson 1548 Rilan Maltin Kolinsong. 1517 Kitch Si when 1517 tefch If unsey 1518 Kitch 1 Bestha M. Mucholf

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5 Signatures We, the undersigned do not want the zoning on Winch, White, and Edsall streets changed from residential to light industrial. Since there is presently a great deal of light industry in the area, we feel that allowing another trucking company to come into this neighborhood would cause an increased amount of pollution and therefore be a detriment to our community. RECEIVED SEPT. 19.19 1 Lela J. Roeback 1224 Fair View ave 1211 Fair View ave 5 habred & martin 7928 winsh x Kuth martin, 2829 Winel St. 5 Santiago S Orto 3015 PITSburg St. LEVA G ORTIZ 3015 PITTS BURG ST. 7. Fearl Creech, 3/29 Pittsburg St. 8. Viola Jones 3, 22 pittsdurg 4 alle J Gellin 3/14 Pettaling st. 10. James C. Rahue 3112 Pethsburg St ". Verginia V. Kakrer 3/12 Littsburg St. 12. My the Sporks 3108 Pittsburg St 13 Litude Mowonger 3/04 Pittsburgst 1x Mary C. alter 3030 Pittsburgh is My Bronge Hollowers 3003 Fattohugh St 16. Lugal Esque 2 926 Petteter 12. a. HJohnson 2817 lettsligt St. 18. Dreve Johnson 2817 gittsburg St. 4. Helew Reynolds 2815 Bettsheer 2. Virginia R Shaffer Virginia R Shaffer Lynn he nuttle 1211 fair View are 23 . C. Buchen A 2930 Kennsy bonic 20 Seo. A. Vondran 2805 Manner Owe 25 inna P Huffman 1214 Fairview are

& Cleany Lucas 1218 Hairview ave 27 Richard Reading 1220 Koiku, EW AUG 28 MARTYN Reading 1220 Koikview Aug 29. floyet From 29018 ittsburg St. 30 Kincoln Binopes 2935 Fette Cury St 31 Eddie Janes 3132 pettsburg 32 Edith Clevenger 3012 Pittsaurg 33 Joyce wilcott 29/8 Pittsburg St. 34 Helen Myest , 2920 Pittsburg 35 Mrs. Reta Meriwither , 29/0 Pittsburgh 36 Lawrence meriwether 2910 Pittsturgh 37 6 Prances Rogers 2908- Pittsburgh 38 Richard Rogers 2908-Pittsburgh. 39 Okal M. Brunson 2902 Pittsburgh 40 Harry & Manly 2814 Pittsburg 41 Marcella Manley 28/4 Fittsberg 42 Eva S. Poussedu 1727 Pittskurgh St. 43 ha Ralph Mechan, 2715 Rittsburg, St. 45 A. in Owner 2827 Pittsburg to 46 B & Hickard van der Smissen 2604 Petteleng St 47 Des Christine vander Sniesen 2604 Peitsburg St. 48 Virginia Spangler 2608 Pittsburgh 49. Jahoma G. Yhilson 2614 Gittsburg 50 Walter Decker 2702 pittsburg St 51 Irene Decker 2722 Bittsburg ST Q - M. Rochstrok Robert Smell 2728 Citterurch 2732 Pillsbing 54 milie Wood 1301 Ray 55 - Kanneth Stine 2721 Winch St. 54 Eileen Laonessa 57 Joseph Jamessa Joseph Vacrossa 2721 Wind It Ratherine Welch 2709 Winch St. 59

4 yelilling Welch 2709 Winch St. Robert Labor 2627 Winch Ruth Labor 2627 Thine Birburd & Pother 2603 Pittsburgh St. 15. Juste W. Pollaget 2603 pillelingh At Marshall & Fisher 2604 winch It Bonnie & Lincher 2604 winderst Johanna Sealover 2614 Winch St. Queen E. Jemison 2716 Winch St. 10. Charles lengar 2716 Wind St. Dorotty Render 3724 wail Derry Ruder 2734 wind Donne Yentina 2704 Maurie Theodore Jenkins 2704 mounte 75 Marcella, M. Winicker 2636 Maure aux Tred of Winicker 2630 Moumes Rive. Ethel Lee Chandler 2601 Maumel are. Helin Whitaere 2607 Maumea ave. Most Most Roscoe Mestern 2615 Mauma Ove 80. Marie McDenry 2615 Maurile live -Walter ! Matter 2627 Maurice Que y Ann Mattes 2627 Maurile due Elin & Pander 2725 Mannee and Hayt Bruden 2725 Maumae 85. Jimmetta Schibley 1312 Fair View ave Dan Dohibly 1312 Farmin and Total 85 signers

e, the undersigned, do not want the zoning on Winch, White and Edsall Streets changed from residential. Since there is presently a great deal of light industry in the area, we feel that allowing another trucking company to come into this neighborhood would cause an increased amount of pollution and therefore be a detriment to the Community.

ADDRESS

2637 Schele 2508 Chestry 3048- Sabelo - C 4. Vichecca Llrew 5. annie L. Klew 6. Ella B. Warren 2212 Polsale ave. 7. Patricia F 3019 mc CoritR 8. Such Do 9. 7 bradle 3001 m= Cormick nos 3003 mc Cormice 3007 mccormich 2143 Mc Cormick 14. CMAN 23023 mecarnick 16. ada Ruth K 3009 necormick 19. Kille Durton 2921/192 Carmick 20. Karly Danies 2923 MED 21. Doul Her Ky 1925 MC Connich 22. Agnes Smit 3033 Mc Cormick Sano 2903 mc Carme and 2967 m c cornelly 2911-mccormuck 3010 Jenie Carmick ington 3010 Schile avenue 2942 Schole auc 32. & llv -Schele and

"e, the undersigned, do not want the zoning on Winch, White and Edsall Streets , changed from residential. Since there is presently a great deal of light industry in the area, we feel that allowing another trucking company to come into this neighborhood would cause an increased amount of pollution and therefore be a detriment to the Community.

1. Maignerite Brykin 3026 Schele ave 2. Ron Myen 1912 Roy 3. B. J Turner 2816CNESTWU+ 5. Toyer more 2930 Schele
6. Now sorderson 2922 schele
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13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 30. 31. 32. 33. 34. 35.

Z419 Winch

b, the undersigned, do not want the zoning on Winch, White and Edsall Streets changed from residential. Since there is presently a great deal of light industry in the area, we feel that allowing another trucking company to come into this neighborhood would cause an increased amount of pollution and therefore be a detriment to the Community.

NAME ADDRESS 1. MICHILE SACKSON 2037 ScHELE QUE 2. Carl Oring Doy 53 ARRI glunklans 2635 Scholo Ku. vene Waikel 1520 watach and Lider 2130 new favor Clare. F 2810 Man H ee Myus 2727 Rew Haven ave Jacker Myels 2727 New Howen Que 2637 Schele are 11. marilon Frandel 2635 Achele ave. 12. ann leust 13. Mr archee Tuning 2609 14. M. Bynn Brigham 5423 15. Ms. Joanne Shropshire, 3120 Ite Donald I Williams 3025 Th Brubaker 2415 Chestnut St, 2630 New , Byly 2630 2117 Eden S Mrs. Ernesting Virginia Blackburn 2721 Standale 1 gessell Blackburn 2721 Hardale 2630 New Ho 31. 32. 33.

34.

| Number assigned by Dave Keller's Office: # 3728 Admn. Appr |
|--|
| TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-75-05-44 |
| DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING |
| Petitioners are requesting the rezoning of the SYNOPSIS OF ORDINANCE |
| following described property: |
| Lots # 36, 37, 38, 39, 40, 41, and 42 in White and Detzers Addition, bounded by |
| Winch Street on the north, Edsall Avenue on the West and White Street on the East. |
| From "RI" to "MI" |
| |
| |
| |
| |
| Property is presented zoned "R1" - Single Family |
| Residential. Petitioners are requesting an "MI" Zoning - Light Industrial. |
| |
| Property would remain an "R1" Zoning EFFECT OF NON-PASSAGE |
| EFFECT OF NON-FASSAGE |
| |
| MONEY INVOLVED (Direct Costs, Expenditures, Savings)none |

ASSIGNED TO COMMITTEE (J. N.) Mystatum JH.